

**OFFICIAL**

Due Date: August 18, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED**  
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Applicant: Gregory J. Gagnon et al. Examiner: Forest Thompson, Jr.  
Serial No.: 09/726,368 Group Art Unit: 3625  
Filed: November 29, 2000 Docket: PD-990271  
Title: PAY TV BILLING, SYSTEM ACTIVATION, AND E-COMMERCE USING A  
PAY-TV RECEIVER

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on August 16, 2004.

By: [Signature]  
Name: Jason S. Feldman

NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.191, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-5, 8-20, 23-35, and 38-52 of the above-identified application, as set forth in the Office Action mailed May 18, 2004.

*FEE charge*  
Please charge the amount of \$330.00 to Deposit Account No. 50-0494 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 1.17(b). Please charge any additional fees or credit any overpayment to Gates & Cooper LLP, Deposit Account No. 50-0494.

08/2004 LWALDEN 00000003 500494 09726368  
FC:1401 330.00 DA

Respectfully submitted,

Gregory J. Gagnon et al.

G&amp;C 109.42-US-01

Best Available Copy

By their attorneys,

GATES & COOPER LLP  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: August 16, 2004

JSF/io

By: 

Name: Jason S. Feldman

Reg. No.: 39,187